

REMARKS

Applicant notes with appreciation that the present case stands allowed by Notice of Allowance mailed January 27, 2006. However, Applicant has discovered an apparent informality in the application file record wherein the Examiner omitted noting in the first Office Action that the prior art in the parent application was considered as required under M.P.E.P. § 2001.06(b). As the Examiner is required to review the art cited in the earlier application, see M.P.E.P. §§ 609 and 2001.06(b), Applicant believes that the art has been reviewed but that the Examiner inadvertently neglected to note such. Accordingly, Applicant respectfully requests that the present application's file record be amended as provided for under 37 C.F.R. § 1.312 to provide a clear record that the art cited in the earlier application has been considered by the Office. If the Examiner has not already considered the art cited in the earlier application, Applicant respectfully requests that the Examiner do so and take whatever other action the Examiner deems appropriate prior to issuance of the present application.

Applicant respectfully requests that the Examiner call the below listed attorney if the Examiner believes that such a discussion would be helpful in resolving any remaining problems. Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 06-2380, under Order No. 47524/P104CP1/09908773 from which the undersigned is authorized to draw.

Dated: February 17, 2006

Respectfully submitted,

By R. Ross Viguet
R. Ross Viguet
Registration No.: 42,203
FULBRIGHT & JAWORSKI L.L.P.
2200 Ross Avenue, Suite 2800
Dallas, Texas 75201-2784
(214) 855-8185
(214) 855-8200 (Fax)
Attorney for Applicant